

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

City of Elyria v. Purdue Pharma L.P. et al, Case No. 1:18-cv-00017;

City of Columbus v. Purdue Pharma L.P. et al, Case No. 1:18-op-45048;

City of Brunswick v. Purdue Pharma L.P. et al, Case No. 1:18-op-45199;

Meigs County, Ohio v. Cardinal Health, Inc., Case No. 1:19-op-45229;

Noble County, Ohio by the Noble County Commissioners v. Cardinal Health, Inc. et al, Case No. 1:19-op-045096;

Washington County, Ohio, by its Commissioners & City of Marietta, Ohio v. Cardinal Health, Inc. et al, Case No. 1:19-op-45230;

Ottawa County Board of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45031;

Allen County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45401;

City of Lima v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op- 45333;

City of St. Marys v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op- 45638;

City of Van Wert v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-46345;

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**JOINT MOTION FOR
STIPULATED DISMISSAL
ORDER AS TO MCKESSON
CORPORATION, CARDINAL HEALTH,
INC., AND AMERISOURCEBERGEN
CORPORATION PURSUANT TO
SETTLEMENT AGREEMENT**

Van Wert County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45571;

Carroll County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-46079;

Mercer County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-46094;

Wyandot County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-46078;

Board of Miami County Commissioners, on behalf of Miami County, Ohio v. Purdue Pharma L.P. et al, Case No. 1:19-op-45335;

Butler County Bd. of Commissioners v. Purdue Pharma L.P. et al, Case No. 1:18-op-45037-DAP;

Clinton County Bd. of Commissioners v. Purdue Pharma L.P. et al, Case No. 1:18-op-45060-DAP;

Village of Brooklyn Heights v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45450;

City of East Cleveland v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45448;

City of Huron v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45431;

City of Lyndhurst Huron v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45636;

City of Macedonia v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45447;

City of Mayfield Heights v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45635;

Village of Newburgh Heights v.

AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45449;

City of North Royalton v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45427;

City of Wickliffe v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45637;

City of Norwalk v. Purdue Pharma L.P. et al, Case No. 1:18-op-46351;

Adams County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45042;

City of Ashland v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-46203;

Ashland County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-cv-02569;

Athens County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45326;

Auglaize County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45570;

Belmont County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45034;

Brown County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45035;

Champaign County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45065

City of Cincinnati Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45041;

Clermont County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45033;

City of Cleveland et al. v. Purdue Pharma L.P. et al, Case No. 1:18-op-45132;

Columbiana County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45289;

Coshocton County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45027;

Crawford County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45288;

Darke County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45046;

Delaware County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45266;

Erie County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45291;

City of Fairfield, Ohio v. AmerisourceBergen Drug Corp. et al, Case No. 1:19-op-45742;

Fairfield County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45038;

Franklin County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45162;

Gallia County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45043;

Geauga County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45256;

City of Hamilton, Ohio v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-46024;

Hamilton County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45272;

Hancock County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45572;

Hocking County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45044;

Huron County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45292;

City of Ironton, Ohio v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-46025;

Jackson County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45037;

Knox County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45665;

Lawrence County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45045;

City of Lebanon, Ohio v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45163;

Licking County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45041;

Logan County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45047;

Marion County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45529;

City of Middletown, Ohio Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:19-op-46133;

Monroe County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45597;

Morrow County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45059;

Muskingum County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45137;

Perry County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45245;

Pike County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45039;

City of Portsmouth, Ohio v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45042;

Ross County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45040;

Seneca County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45290;

Shelby County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45668;

Vinton County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:17-op-45036;

Wayne County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45150;

Williams County Bd. of County Commissioners v. AmerisourceBergen Drug Corp. et al, Case No. 1:18-op-45257;

County of Summit, Ohio et al v. Purdue Pharma, L.P. et al., Case No. 18-op-45090 (as to City of Akron only)

Stark County, Ohio Board of County Commissioners et al. v. Cardinal Health, Inc., et al., Case No. 1:18-op-46349;¹

County of Portage et al. v. Cardinal Health, Inc., et al., Case No. 1:18-op-46006;²

City of Barberton et al. v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45767;³

County of Fayette, Ohio et al. v. Purdue Pharma, L.P. et al., Case No. 1:20-op-45065;

County of Medina, Ohio et al. v. Purdue Pharma, L.P. et al., Case No. 1:19-op-45839;

Montgomery County Bd. of County Commissioners et al. v. Cardinal Health, Inc., Case No. 1:18-op-46326;

¹ Plaintiffs for *Stark County, Ohio Board of County Commissioners, et al. v. Cardinal Health, Inc., et al.*, Case No. 1:18-op-46349 include all named Plaintiffs and include Stark County, City of Alliance, City of Canton, and City of Massillon.

² Plaintiffs for *County of Portage et al. v. Cardinal Health, Inc., et al.*, Case No. 1:18-op-46006, include all named Plaintiffs and include Portage County, City of Ravenna, City of Kent and City of Aurora.

³ Plaintiffs for *City of Barberton et al. v. Purdue Pharma, L.P. et al.*, Case No. 1:18-op-45767; include all named Plaintiffs and include the City of Barberton, Village of Boston Heights, Boston Township, Village of Clinton, Copley Township, Coventry Township, City of Cuyahoga Falls, City of Fairlawn, City of Green, Village of Lakemore, Village of Mogadore, City of Munroe Falls, City of New Franklin, City of Norton, Village of Peninsula, Village of Richfield, Village of Silver Lake, Springfield Township, City of Stow, City of Tallmadge, and Valley Fire District.

County of Tuscarawas, Ohio et al. v. Purdue Pharma, L.P. et al., Case No. 1:19-op-45098;

City of Fostoria v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45433;

City of Mansfield v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45380;

City of Sandusky v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45788;

City of Broadview Heights v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45330;

City of Dayton v. Purdue Pharma, L.P. et al., Case No. 1:17op-45032;

City of Findlay v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46339;

Harrison County Bd. of Commissioners v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45547;

The County of Jefferson v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45365;

The County of Lake, Ohio v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45032;

City of Lorain v. Purdue Pharma, L.P. et al., Case No. 1:17-op-45000;

The County of Lorain v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45078;

The City of Parma v. Purdue Pharma, L.P. et al., Case No. 1:17-op-45001;

The City of Parma Heights v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45773;

Sandusky County Bd. of Commissioners v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45254;

City of Seven Hills, Ohio v. Purdue Pharma, L.P. et al., Case No. 1:19-op-45413;

City of Strongsville v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46111;

The City of Toledo v. Purdue Pharma, L.P. et al., Case No. 1:17-op-45005;

The County of Trumbull, Ohio v. Purdue Pharma, L.P., et al., Case No. 1:18-op-45079;

The City of Warren v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45434;

City of Warrensville Heights, Ohio v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46299;

The City of North Ridgeville v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46015;

Township of Painesville v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46035;

The County of Ashtabula v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45050;

The City of Euclid v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46013;

The City of Garfield Heights v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45999;

City of North Olmsted v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46012;

The City of Olmsted Falls v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46014;

Bd. of Commissioners of Lucas County, Ohio et al. v. Purdue Pharma, L.P. et al., Case No. 1:18-op-46177;

City of Lakewood, Ohio v. Purdue Pharma, L.P. et al., Case No. 1:18-op-45240;

Bd. of Commissioners of Fulton County, Ohio v. Purdue Pharma, L.P. et al., Case No. 1:19-op-45440;

City of Youngstown, Ohio v. Purdue Pharma, L.P., et al., Case No. 1:19-op-45722;

Guernsey County v. Purdue Pharma, L.P., et al., Case No. 1:18-op-45044;

Lucas County Children Services Board of Trustees v. Purdue Pharma, L.P., et al., Case No. 1:18-op-46177;

Mental Health & Recovery Services Board of Allen, Auglaize, and Hardin Counties v Purdue Pharma, L.P., et al., Case No. 1:18-op-46344; and

Mental Health & Recovery Services Board of Lucas County v. Purdue Pharma, L.P., et al., Case No. 1:18-op-46177.

Plaintiffs in the above captioned cases (collectively, “Plaintiffs”),⁴ on the one hand, and Defendants McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively and together with their subsidiaries, the “Settling Distributors”), on the other, jointly move this Court for an Order dismissing with prejudice all claims asserted by Plaintiffs against the Settling Distributors in the above-captioned cases pursuant to the terms of the Ohio Distributor Settlement Agreement. This dismissal of claims extends to the Settling Distributors only, and not as to any other defendant to these actions.

A proposed Stipulated Dismissal Order is attached hereto.

⁴ Plaintiffs include all named plaintiffs in the above captioned cases with the exception of *County of Summit, Ohio et al v. Purdue Pharma, L.P. et al.*, Case No. 18-op-45090. Summit County jointly filed Case No. 18-op-45090 together with the City of Akron. Summit County previously reached a separate settlement with the Settling Distributors, and the City of Akron is the only plaintiff in Case No. 18-op-45090 included in this Motion.

Dated: October 5, 2021

Respectfully Submitted,

/s/ Peter J. Mougey

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County, Huron County, City of Ironton, Jackson
County, Knox County, County of Lawrence, City of
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of October, 2021, I electronically filed the foregoing document with the Clerk of Court in the MDL Master Docket by using the CM/ECF System. The foregoing will be served on counsel of record.

/s/ Peter J. Mougey

Peter J. Mougey

Attorney for Adams County, City of Ashland, County of Ashland, Athens County, Auglaize County, Belmont County, Brown County, Carroll County, Champaign County, City of Cincinnati, Clermont County, City of Cleveland, Columbiana County, Coshocton County, Crawford County, Darke County, Delaware County, Erie County, City of Fairfield, County of Fairfield, Franklin County, Gallia County, Geauga County, Guernsey County, City of Hamilton, County of Hamilton, Hocking County, Huron County, City of Ironton, Jackson County, Knox County, County of Lawrence, City of Lebanon, Licking County, Logan County, Marion County, Mercer County, City of Middletown, Monroe County, Morrow County, Muskingum County, Ottawa County, Perry County, Pike County, City of Portsmouth, Ross County, Seneca County, Shelby County, Vinton County, Wayne County, Williams County, & Wyandot County